

**Minutes of the Carlisle Board of Health  
December 3, 2015**

**Bills**

**Administrative Reports**

**Minutes 11/17/15, 11/23/15**

**81 HANOVER HILL – Request for release of Certificate of Compliance**

**845 MAPLE STREET – request for winter installation of sewer line**

**DISCUSSION ITEMS**

**Memo to Finance Committee Re: Increase in hours for  
Administrative Assistant**

**Septic Installations – Winter Shut Down Summary  
Meeting Dates**

The meeting was called to order by the Chairman at 7:00 pm at town hall. Present were Board members Bill Risso (Chairman), Lee Storrs, Catherine Galligan, Todd Thorsen and Donna Margolies. Also present Linda Fantasia, Health Agent.

**ADMINISTRATIVE REPORTS**

**Personnel Board Meeting –**

- 12/10/17 – 7 pm - Human Resources Consultants, Inc (HRS) will provide an overview of the 2012 Wage Salary Classification Plan and their recommendations.
- 12/17/15 – 7 pm - Board of Health request for an additional position; Galligan is preparing a spreadsheet summary of current hours and the need for additional hours.

**Loose Horse Complaint** – Fantasia spoke with Beth Platt (owner) and the horses are now in South Carolina until May. Platt agreed a gate was left open but does not think her horses are an ongoing problem. Storrs and Fantasia attended the recent Agricultural meeting. The Committee is interested in a setting up a complaint process with the Board of Health. Andrew Rogers of the Agricultural Committee offered to check out the fencing at Platt's. Storrs said he also drove by the property and the fencing appeared well maintained.

**Public Records Law** – The Legislature is doing a major rewrite of the law. The new law is intended to set limits on fees that can be charged and the timeframe for providing records. It would go into effect on October 1, 2016.

**Benfield Farms** – Toby Kramer (NOAH) sent an email to the Board on 12/1/15 that there had been complaints about outside odors. She will look into having the manhole covers secured. The landscaping company has not yet installed the Biovent. The shed that will house the two 55-gallon drums for the Micro-C1000 has not been installed. The new feed line which runs under the shed must be installed first. Fantasia visited the site 12/3/15 and noticed an intermittent rotten egg odor around the manhole covers but very little at the vent. It was quite windy and cold so it was difficult to track the source.

The Board was concerned that they have not been receiving the weekly test results of the FAST System. This is a condition of the Temporary Certificate of Compliance and is intended to provide the Board with additional data points on how the system is functioning. Without the testing results there can be no assurance that the system is meeting its discharge limits or that the supplemental feed system is working. The Board has granted a number of extensions for the Temporary Certificate of Compliance but does not want to continue in this manner. The Board is concerned that winter weather could destroy the fixed film media of the FAST system similar to what happened last year. Board members agreed they were losing patience and had hoped to have the problem resolved by now.

The Board agreed that it wants the system operator and property owner (NOAH) to attend the next meeting with up-to-date test results.

Warren Brown, tenant at Benfield, said he notices an odor everyday between 4:30 and 5:30 am. The odor is sustained. Tenants are also complaining about odors in apartments on the third floor of the building. The tenants do not park their cars in some areas due to the obnoxious odor. He does not feel NOAH is taking the complaints seriously because they are from seniors. Correcting the problem does not appear to be a priority since it has been going on for over two years. Brown said the place can sometimes smell like a swamp. The tenants have no faith in management to take care of the problem.

Galligan suggested that no one may know exactly what the problem is or how to fix it. NOAH and the system operator have been trying different solutions which appear to be helping but not to the point where the Board could issue a Certificate of Compliance. Risso said the location of inside smells is important. David Carroll, tenant, said the odors in the building are getting worse now that the windows are closed. He would like the Building Inspector to check them out. Thorsen said up until now the odor complaints have been too general. A more focused analysis such as specific times and locations would be helpful.

Other tenants from Benfield who did not speak were: Esther Scalia, Elaine Cowie and John Kreisher. Galligan suggested holding the next meeting at Benfield so that more tenants could attend. The Board agreed to hold the December 15<sup>th</sup> meeting at Benfield if the property manager approves.

**81 HANOVER HILL** – present was Michael Kenny, developer. Kenny submitted a request to the Board dated 12/1/15 for the release of the Certificate of Compliance for the septic system. According to Kenny, Greg Smith, the installer, is refusing to sign the Certificate due a contractual dispute. Kenny noted that there is a closing scheduled for late December. The Certificate of Compliance is needed for the closing. Title 5 requires the installer to sign off on the Certificate within 30 days of the final inspection. The inspection was done by Rob Frado on 6/4/14. The Board's policy is for Frado to sign last. This allows the Board to control the release of the Certificate pending payment of all fees and satisfying all conditions. The Board agreed a contractual dispute does not change the fact that the system was installed in compliance with Title 5 and local regulations. Frado is willing to sign off on behalf of the town without the installer's signature. The Board agreed to waive its policy which otherwise would create a hardship to the owner because of the closing. Fantasia said there is one additional inspection fee that needs to be paid. Kenny agreed to pay it.

**It was moved (Storrs) and seconded (Thorsen) to release the Certificate of Compliance as signed by the town's inspector for 81 Hanover Road, Carlisle MA upon payment of all inspection fees. Motion passed 5-0-0.**

The Board will advise the installer that he is in violation of Title 5 and the Board may not renew his license for 2016. He will be given the opportunity for a hearing before the Board. A note will be made on the installer tracking database.

**845 MAPLE STREET** – Katie Barker, owner, appeared before the Board to request a waiver to install a sewer line after the winter shutdown deadline. The excavation work will involve running water and sewer lines from the garage to the existing well and septic tank respectively. The second floor of the garage is being converted to living space which the Barkers will occupy while the main house is being renovated. The original plan called it an Art Studio. The Conservation Commission has issued an Order of Conditions for the work. The sewer tie-in plan was reviewed and approved by Rob Frado. The owners would like to be able to move in sometime in February.

Galligan said she was surprised that the Board was only hearing about this request in late November. The Board's winter shut down period is in its regulations. Barker said the installer is ready to start next week if the Board approves. The work can be done in a day. Fantasia said Frado agreed the line could be installed now, particularly due to the warm weather. However, this is no guarantee that the work will not run into problems or a sudden freeze. Fantasia said a one day turn-around is unrealistic. The line is 104' in length. The engineer is required to do an as-built. Because there is very little pitch to the line, Frado would like to see spot grades every 20' to verify minimum slope of the line. This will take time. Galligan would prefer that the work wait until spring. Risso said spring can be very wet making the installation more difficult. Barker said they had planned to start work earlier but there were delays in getting the permits. Galligan said she was also concerned that the living area above the garage is a guest

house. She questioned whether it was allowed under zoning. The Board agreed that this is up to the Building Inspector.

The Board asked why they could not wait until March. Barker said it would delay work on the house which will take up to ten months. They had hoped to have everything finished by next fall. Storrs said it would be different if they were working on the leaching field. Thorsen agreed. Both of them would be concerned about working in frozen soil which could cause heaving in the line. Risso felt there was minimal risk to the septic system since the line is only tying into the septic tank. The Board agreed that Frado could stop the work if there was a sudden frost. Margolies did not have a problem with allowing the work, noting that the risk would be to the owner if work had to stop before completion.

Galligan still maintained that there should have been better planning and was reluctant to open the door to other requests for winter extensions. In the past when the Board tried to accommodate winter installations, it put tremendous pressure on Frado and the office staff to expedite the process. In most cases the work was not completed until after March 1st and could have easily waited. Other Board members felt the sewer line work could be conditioned to avoid problems and it would be good to take advantage of the unseasonably warm weather.

**It was moved (Storrs) and seconded (Thorsen) to allow the construction of a new sewer line to the garage at 845 Maple Street past the winter deadline conditional upon the following (1) if the Board's inspector determines that there is frozen soil in the trench all work must stop until March 1<sup>st</sup>; (2) all work must be completed and approved by 12/18/15. Motion passed 4 to 1 (Galligan).**

#### **ADMINISTRATIVE REPORTS (continued)**

**Unpaid Barn Fees** – Lyman had prepared a list of six animal owners who have not paid. The town is responsible for checking the health of animals in town so the barn inspection is mandatory. Some of the owners habitually ignore the fee and yet their barns are inspected. Galligan said the issue is part of a larger picture of owners failing to meet conditions of the Board. The Board questioned whether it could prohibit the keeping of animals on a property. Fantasia will check with town counsel. Another suggestion would be to publicize the names in the Mosquito. A final solution would be to issue non-criminal complaints which are administered through the District Court via a ticketing process. The Board asked that the legal requirements be clearly stated on the application. Fantasia will follow up on the ticketing process and whether the Board is authorized to issue tickets for animal health.

**Cancer Incidence Registry** – MA DPH issued the latest report covering the period 2007-2011. Galligan offered to review the data and prepare an update. Two years ago the Board had hired a graduate student, David Estabrook, to summarize the data which was made available to residents. The charts will now need to be updated. The purpose of the report is to provide an estimate of cancer incidence for all cities and towns in the state. Galligan explained how the data is adjusted for age and sex. The number of observed and expected cases in a town is then compared to the state as a whole. The report also identifies whether the incidence of cases is statistically significant. Galligan further explained that affluent towns sometimes have a greater incidence of a particular cancer due to greater access to medical care and reporting. One example of this is melanoma in females in Carlisle. Carlisle female residents are active outdoors, take more vacations and garden, all of which can increase their exposure to the sun. The good news is, however, that they are diagnosed early so there are fewer cancer deaths as a result. The Board also discussed what other cancers might be on the rise and for what reasons. This information can be valuable in educating residents on prevention.

**Animal Management** – Judy Asarkoff, Chairperson of the Agricultural Committee, is preparing a flow chart of the various positions and responsibilities involved in domestic livestock, pets and wild life. There will be a meeting in February of all parties (Animal Inspectors, Health Agent, Animal Control (Police), Dog Officers)

#### **DISCUSSION ITEMS**

**Finance Committee Meeting (Fincom)** – the Board had presented their request to add a second administrative assistant position to the Fincom for FY17. The Board agreed to streamline the memo for the Personnel Board which is the next step.

**Septic Installations** – Fantasia reported that all sites have completed work or have been closed up for the winter.

**Meeting Dates** – 1/12/16, 1/26/16, 2/9/16, 2/23/16, 3/15/16.

**Benfield Complaints** - John Kreisher, tenant, arrived at the meeting. He wanted the Board to be aware that the odors are continuing. Previously he only noticed them outside but now they are inside the building. He questioned whether the water was polluted. The Board did not have any specific information for him but explained that the next meeting would be at Benfield. The Building Inspector may want to check the HVAC ventilation system. The Board is continuing to look into the problem with NOAH.

There was no further business. Meeting voted to adjourn at 8:30 p.m.

Respectfully submitted,

Linda M. Fantasia  
Recorder